

MESSAGE NO: 6021301 MESSAGE DATE: 01/21/2016

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AFF-Affirmative

FR CITE: 81 FR 3105 FR CITE DATE: 01/20/2016

REFERENCE 5309301
MESSAGE #
(s):

CASE #(s): A-471-807

EFFECTIVE DATE: 01/20/2016 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Notice of final determination in the antidumping duty investigation of certain uncoated paper from Portugal (A-471-807)

1. On 01/20/2016, Commerce published in the Federal Register (81 FR 3105) its final affirmative determination of sales at less-than-fair-value and final negative determination of critical circumstances in the antidumping duty investigation of certain uncoated paper from Portugal (A-471-807).

2. Because Commerce has determined that critical circumstances do not exist for imports of certain uncoated paper from Portugal, the retroactive suspension of liquidation ordered in message 5309301, dated 11/05/2015, is terminated. Accordingly, Commerce will direct CBP in separate instructions to terminate the suspension of liquidation for all shipments of certain uncoated paper from Portugal for the producers and/or exporters listed in Paragraph 5 entered, or withdrawn from warehouse, for consumption, before 08/26/2015 and to refund any cash deposits and release any other security. The interest provisions of section 778 of the Tariff Act of 1930, as amended, do not apply.

3. The merchandise covered by this investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level¹ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions ("Certain Uncoated Paper").

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp ("BCTMP") that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for

copying or printing purposes. For purposes of this scope definition, paper shall be considered “printed with final content” where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

{Footnote 1}: One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. “Colored paper” as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

4. This investigation has been assigned investigation number A-471-807.

5. For imports of certain uncoated paper from Portugal, CBP shall continue to suspend liquidation of such shipments entered, or withdrawn from warehouse, for consumption on or after 01/20/2016. Effective 01/20/2016, CBP shall require, for such entries, a cash deposit equal to the margins for the producers and/or exporters listed below:

Producer and/or Exporter: Portucel S.A.

Case number: A-471-807-001

Cash deposit rate: 7.80%

All Others

Case Number: A-471-807-000

Cash Deposit Rate: 7.80%

6. If any entries of this merchandise are exported by a firm other than the producer, then the following instructions apply:

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- A. If the exporter of the subject merchandise does not have its own rate but the producer has its own rate, the cash deposit will be the producer's rate.
- B. Where neither the exporter nor the producer currently has its own rate or the producer is unknown, use the all-others rate of 7.80 percent to establish the cash deposit.
7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:KJA.)
8. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party